

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

BLUE MOON MARKETING, LLC,

Plaintiff,

vs.

SCOTT R. MATTHEWS, *et al.*,

Defendants.

Case No. 2:13-cv-02238-JAD-GWF

**ORDER**

Motion for Extension of Time (#16)

This matter comes before the Court on Defendants Westgate Resorts, Ltd., Westgate Resorts, LLC, and Westgate Resorts, Inc.'s third Motion for Extension of Time (#16), filed on January 28, 2014. Westgate seeks an extension until February 18, 2014 to file an answer or responsive pleading to Plaintiff's Complaint (#1). An answer was previously due on January 29, 2014. *See January 23, 2014 Order, Doc. #15*. Westgate represents that it obtained the consent of Plaintiff's recently-replaced counsel to extend the response deadline, but has been unable to contact Plaintiff's new counsel. The Court finds that Westgate establishes good cause for an extension.

The Court notes that Westgate filed its Motion *ex parte*. An *ex parte* motion or application is one that is filed with the Court, but is not served upon the opposing or other parties. *See* Local Rule 7-5(a). All *ex parte* motions must contain a statement showing good cause why the matter was submitted to the Court without notice to all parties. *See* Local Rule 7-5(b). *Ex parte* and emergency motions are distinct. Motions may be submitted *ex parte* only for compelling reasons, and not for emergency motions. *See* Local Rule 7-5(b). Emergency motions must be so titled, must state the nature of the emergency, and must certify that good-faith efforts were made to resolve the dispute without Court action. *See* Local Rule 7-5(d)(1)-(3). Westgate is instructed to adhere to the different rules governing these distinct motions in further filings with the Court. Accordingly,

6 DATED this 3rd day of February, 2014.

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